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No. 272752827US

MEMC 000051/2651.5  
PATENT



THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of John D. Holder  
Serial No. 10/036,875  
Filed October 23, 2001  
Confirmation No. 5192  
For PROCESS FOR PRODUCING A SILICON MELT  
Examiner Robert M. Kunemund

Art Unit 1765

RECEIVED  
AUG 29 2003  
TC 1700

August 25, 2003

**RESPONSE TO OFFICE ACTION**

TO THE COMMISSIONER FOR PATENTS,  
SIR/MADAM:

This letter is in response to the Office Action dated June 4, 2003.

A. Status of Claims

Claims 1-30 are pending in this application. Claims 1-30 have been rejected under the judicially-created doctrine of obviousness-type double patenting, as being unpatentable over claims 1-12 of U.S. Patent No. 6,344,083, and provisionally rejected over claims 50-72 of co-pending Application Serial No. 09/943,600.

B. Obviousness-type Double Patenting Rejection

Applicant has enclosed herewith a Terminal Disclaimer in accordance with 37 CFR 1.130(b) and 37 CFR 1.321(c) to obviate the rejection. Accordingly, Applicant respectfully requests the obviousness-type double patenting rejections be withdrawn.

**Conclusion**

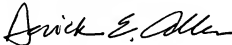
Applicant respectfully submits that claims 1-30, which are now pending in this application, satisfy the requirements for patentability. Favorable reconsideration and allowance of these claims are therefore respectfully requested.

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\* Enclosed is a check in the amount of \$110.00 in payment of the fee for the submission of a Statutory Disclaimer. The Commissioner is hereby authorized to charge any under payment or credit any over payment to Deposit Account No. 19-1345.

Respectfully submitted,



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DEA/dep



08-26-03

1765

## FEE TRANSMITTAL

41

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Application Number 10/036,875 ✓  
Filing Date October 23, 2001  
Confirmation No. 5192  
Inventor(s) John D. Holder  
Group Art Unit 1765  
Examiner Name Robert M. Kunemund  
Attorney Docket Number MEMC 000051/2651.5

## METHOD OF PAYMENT

1. ☐ The Commissioner is hereby authorized to charge the indicated fees to Deposit Account No. 19-1345.
- ☐ The Commissioner is hereby authorized to charge any additional fees required under 37 CFR 1.16 and 1.17 to Deposit Account No. 19-1345.
- ☐ Applicant claims small entity status.
2. ☒ Check Enclosed. The Commissioner is hereby authorized to charge any under payment or credit any over payment to Deposit Account No. 19-1345.

## FEE CALCULATION

1. ☐ BASIC FILING FEE Subtotal (1) \$ \_\_\_\_\_  
(Type: \_\_\_\_\_)
2. ☐ EXTRA CLAIM FEES Subtotal (2) \$ \_\_\_\_\_  
Total Claims \_\_\_\_\_  
Independent Claims \_\_\_\_\_  
Multiple Dependent Claims \_\_\_\_\_
3. ☒ ADDITIONAL FEES Subtotal (3) \$ 110.00
- ☐ Surcharge - late filing fee or oath  
☐ Surcharge - late provisional filing fee or cover sheet  
☐ Extension for reply within \_\_\_\_\_ month  
☐ Notice of Appeal  
☐ Filing a Brief in Support of an appeal  
☐ Request for ex parte Reexamination  
☒ Petitions to the Commissioner (Terminal Disclaimer)  
☐ Submission of Information Disclosure Statement  
☐ Recording each patent assignment per property  
☐ Request for Continued Examination  
☐ Other: \_\_\_\_\_

TOTAL AMOUNT OF PAYMENT \$ 110.00Derick E. Allen  
Derick E. Allen, Reg. No. 43,4688-25-03  
Date

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